

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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WILLIAM GRECIA,

Plaintiff,

v.

ADORAMA CAMERA, INC.,

Defendant.

___ Civ. _____ ()

COMPLAINT

JURY TRIAL DEMANDED

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William Grecia brings this patent-infringement action against Adorama Camera, Inc.

Parties

1. William Grecia is an individual. He maintains a residence in Downingtown, Pennsylvania.
2. Adorama Camera, Inc (hereinafter, “Adorama”) is a New York corporation, having its principal place of business in New York City, New York.

Jurisdiction and Venue

3. This action arises under the patent laws of the United States, 35 U.S.C. §§ 101 *et seq.*
4. This Court has subject matter jurisdiction over this action under 28 U.S.C. §§ 1331 and 1338(a).
5. This Court may exercise personal jurisdiction over Adorama. Adorama conducts continuous and systematic business in New York and in this District. Adorama maintains

corporate offices in this District, and Adorama's principal place of business is in this District. This patent-infringement case arises directly from Adorama's continuous and systematic activity in this District. In short, this Court's exercise of jurisdiction over Adorama would be consistent with traditional notions of fair play and substantial justice.

6. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b)(1)-(2) and 1400(b).

Infringement of U.S. Patent No. 8,402,555

7. William Grecia hereby realleges and incorporates by reference, as if fully set forth herein, the allegations of paragraphs 1-6 above.

8. William Grecia is the exclusive owner of the '555 patent, which is attached as Exhibit 1.

9. The '555 patent is valid and enforceable.

10. Adorama is infringing at least one of the 26 methods, systems, and apparatuses claimed in the '555 patent by its use of the Visa Checkout payment system.

11. For example, and for illustration of at least one of the 26 claims of the '555 patent that Grecia alleges that Adorama infringes, Adorama directly infringes claims 12 and 13 of the '555 patent as follows:

a. Claim 12 is, "A system for monitoring access to an encrypted digital media, the system facilitating interoperability between a plurality of data processing devices, the system working as a front-end agent for access rights authorization between a plurality of data processing devices, the system comprising. . . ." (Ex. 1, 15:65-16:2) Adorama uses the Visa Checkout system on its website to sell merchandise to customers.

Adorama's e-commerce server comprises program code—specifically, Javascript Library—on the Adorama website. Through such installation, the Adorama website displays the Visa Checkout Button and, therefore, causes the installed program code to execute the system listed in claim 13.

b. Claim 12's system comprises "a first receipt module, the first receipt module receiving an encrypted digital media access branding request from at least one communications console of the plurality of data processing devices, the branding request being a read or write request of metadata of the encrypted digital media, the request comprising a membership verification token provided by a first user, *corresponding to the encrypted digital media . . .*" (Ex. 1, 16:3-10 (emphasis added).) When a customer purchases a camera from the Adorama website, for example, the program code Adorama has installed allows the customer to enter her credit card personal account number ("PAN") through the Adorama website. The PAN is received as a request to write a token that will be associated with the PAN; the token and not the PAN to be used to purchase the camera from the Adorama website.

c. Claim 12 authentication module "authenticat[es] the membership verification token" (Ex. 1, 16:11-14.) The Adorama customer's PAN is authenticated.

d. Claim 12 includes a connection module for "establishing connection with the at least one communications console wherein the communications console is a combination of a graphic user interface (GUI) and an Applications Programmable Interface (API) protocol wherein the API is related to a verified web service, the verified

web service capable of facilitating a two way data exchange to complete a verification process” (Ex. 1, 16:15-22) The Adorama website includes a connection module for connection with Visa Token Services (“Visa Web Service”).

e. Claim 12 includes a request module for “*requesting* at least one electronic identification reference from the at least one communications console wherein the electronic identification reference comprises a verified web service account identifier of the first user . . . [and a second receipt module for] *receiving* the at least one electronic identification reference from the at least one communications console” (Ex. 1, 16:24-31 (emphasis added).) The system that Adorama uses on its website allows the connection with the Visa Web Service and, in turn, allows for the request and the receipt of a token that will be used for the customer’s purchase of the camera instead of the PAN.

f. Claim 12 includes a branding module used for “*writing* the membership verification token and the electronic identification reference into the metadata.” (Ex. 1, 16:32-35 (emphasis added).) The system Adorama uses on its website allows for the user’s PAN (membership verification token) and Payment Token (electronic identification reference) to be written to the Visa Token Vault (metadata of the customer’s digital financial content). This is illustrated when the customer has completed the purchase of the camera on the website. The order confirmation lists only the last four digits of the customer’s PAN so that Adorama may match the last four digits of the PAN with the token used to purchase the camera in Adorama’s records.

g. Claim 13 defines the encrypted digital media as being a “computer based apparatus in which processed data is facilitated” (Ex. 1, 16:36-40.) The Adorama

website receives payment for the camera with the user's access to their computer processed financial data used to settle the transaction.

12. William Grecia attaches a claim chart setting forth the infringement discussed above as Exhibit 2.

Prayer for Relief

WHEREFORE, William Grecia prays for the following relief against Adorama:

- (a) Judgment that Adorama has directly infringed claims of the '555 patent;
- (b) A reasonable royalty;
- (c) Pre-judgment interest and post-judgment interest at the maximum rate allowed by law;
- (d) Post-judgment injunction; and
- (e) Such other and further relief as the Court may deem just and proper.

Demand for Jury Trial

William Grecia demands a trial by jury on all matters and issues so triable.

Date: September 12, 2016

Respectfully Submitted,

/s/ Matthew M. Wawrzyn

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